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PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PF020081	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/EP 03/06621	International filing date (day/month/year) 18.06.2003	Priority date (day/month/year) 28.06.2002
International Patent Classification (IPC) or both national classification and IPC H04L12/28		
Applicant THOMSON LICENSING S.A. et al		



1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 4 sheets.

3. This report contains indications relating to the following items:

I	<input checked="" type="checkbox"/>	Basis of the opinion
II	<input type="checkbox"/>	Priority
III	<input type="checkbox"/>	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
IV	<input type="checkbox"/>	Lack of unity of invention
V	<input checked="" type="checkbox"/>	Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
VI	<input type="checkbox"/>	Certain documents cited
VII	<input type="checkbox"/>	Certain defects in the international application
VIII	<input type="checkbox"/>	Certain observations on the international application

Date of submission of the demand 27.01.2004	Date of completion of this report 06.10.2004
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Forster, G Telephone No. +49 89 2399-8986 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/EP 03/06621**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

2-4 as originally filed
1, 1a received on 27.08.2004 with letter of 27.08.2004

Claims, Numbers

1-5 received on 27.08.2004 with letter of 27.08.2004

Drawings, Sheets

1/3-3/3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

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EXAMINATION REPORT**

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-5
	No: Claims	
Inventive step (IS)	Yes: Claims	1-5
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-5
	No: Claims	

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/EP 03/06621

to section V.

1. The present invention relates to a method of creation of a new communication network by a wireless terminal and to such a wireless terminal, according to the features of claim 1 and of the amended independent claim 4 respectively.
2. The closest prior art document is considered to be document HABETHA J ET AL: "Central controller handover procedure for ETSI-BRAN HiperLAN/2 Ad Hoc networks and clustering with quality of service guarantees" ANNUAL WORKSHOP ON MOBILE AD HOC NETWORKING & COMPUTING, (2000-08-11), pages 131-132 (first document cited in the international search report) and is acknowledged - in the opening part of the description.
3. According to the features of the two independent claims the inventive step consists in that the wireless terminal initially being part of an existing centralized network disassociates from the network and initiates a procedure for creating a new network including a declaration of the terminal as access point of the new network, where the operating parameters of the new network are such that the communications on the new network do not interfere with the existing network.

The underlying concept is not disclosed in or rendered obvious by the cited prior art documents. The subject-matter of the independent claims thus fulfils the requirements of Article 33 PCT.

4. The dependent claims contain further details on the subject-matter of the respective independent claims. These dependent claims merely limit the scope of protection sought by the independent claims and are therefore also considered to fulfil the requirements of Article 33 PCT.

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The invention relates to a method of creation of a new network by a terminal, more specifically when the terminal was initially associated to an existing network. The invention also relates to the terminal itself. It is particularly applicable in the context of wireless networks with centralized control, although not limited to this context.

A HIPERLAN 2 type centralized wireless communication network has limited resources. When a large number of terminals are associated to the network, some terminals may be incapable of reserving the resources required for their applications.

The document "ETSI TS 101 761-4 V1.4.1A (2002-5) BRAN HIPERLAN Type 2, Data Link Control (DLC) Layer; Part 4: Extension for Home Environment, section 6.7.1 'Dynamic Central Controller Selection / Principle'" discloses that a wireless terminal that is capable of becoming central controller, and for which an attempt to associate to a central controller of an existing network fails, itself attempts to become central controller by initiating the central controller selection process described in the aforementioned document.

[Insertion point of page 1a]

The invention relates to a method of creation of a new communication network by a wireless terminal, which method is characterized in that, the wireless terminal initially being part of an existing centralized network that includes an access point able to control the association of wireless terminals to its network, it includes, for the associated terminal, the steps of:

- disassociation of the terminal from the network; and
- initiation of a procedure for creating a new network including a declaration of the terminal as access point of the new network, where the operating parameters of the new network are such that communications on the new network do not interfere with the existing network.

Thus, a terminal previously associated to a network, but disassociated from this network, can create a new network, not interfering with the initial network. New resources are then available.

According to a preferred embodiment, the terminal takes the initiative for the disassociation. The terminal can decide on this disassociation if for

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The document HABETHA J ET AL : « Central controller handover procedure for ETSI-BRAN Hiperlan/2 Ad Hoc network and clustering with quality of service guarantees » discloses to transfer the control from a central controller to another device of the Hiperlan/2 network. Under certain circumstances the central controller chooses one of the connected terminals to replace itself for the control. It transmits to the future controller some management information, then the network is stopped and the new one is started under the control of the new controller.

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Claims

1. Method of creation of a new communication network by a wireless terminal (MT), which method is characterized in that, the wireless terminal initially being part of an existing centralized network that includes an access point (AP/CC) able to control the association of wireless terminals to its network, it includes, for the associated terminal, the steps of:

- disassociation of the terminal from the network (E4, E5); and
- initiation of a procedure for creating a new network (E6) including a declaration of the terminal as access point of the new network, where the operating parameters of the new network are such that communications on the new network do not interfere with the existing network.

2. Method according to Claim 1, characterized in that the terminal initiates disassociation in at least one of the following cases:

- frequency change rejection by the access point of the existing network following a request from the terminal in this sense (E3); or
- connection establishment rejection by the access point of the existing network following a request from the terminal in this sense (E2).

3. Method according to either of Claims 1 and 2, characterized in that the access point of the existing network initiates the disassociation.

4. Wireless terminal (MT) including an interface with the communication medium, a microprocessor and a memory, which terminal is characterized in that it additionally includes in its memory a program comprising program means adapted to perform a disassociation of the terminal from the network (E4, E5) and program means to perform an initiation of a procedure for creating a new network (E6) including a declaration of the terminal as access point of the new network, where the operating parameters of the new network are such that communications on the new network do not interfere with the existing network.

5. Wireless terminal according to Claim 4, characterized in that the said program means are adapted to initiate the disassociation from the existing network in one of the following cases:

- frequency change rejection by the access point of the existing network following a request from the terminal in this sense (E3); or

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- connection establishment rejection by the access point of the existing network following a request from the terminal in this sense (E2).